

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

The Examiner is thanked for conducting a telephone interview with the undersigned on August 23, 2007.

Independent claims 1, 8 and 12 have been amended as discussed with the Examiner to clarify that the section/means which writes the important mail flag in the mail is user operable. That is, the user operable section/means writes the important mail flag in the mail in accordance with an instruction made by a user when the user requests transmission of the image data, as supported by the disclosure in the specification at, for example, page 10, line 27 to page 11, line 9.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

It is respectfully submitted, moreover, that USP 6,700,674 ("Otsuka et al") does not disclose, teach or suggest a user operable section/means which writes an important mail flag in a mail in accordance with an instruction made by a user when the user requests transmission of image data. In particular, it is respectfully pointed out that the mail flag 13g of Otsuka et al is turned on and off by the facsimile apparatus itself depending on whether or not facsimile transmission via the internet has

successfully occurred. See the disclosure in Otsuka et al at column 16, line 38 through column 17, 32.

Accordingly, it is respectfully submitted that Otsuka et al clearly does not disclose, teach or suggest the features of the claimed present invention whereby if, when the user requests transmission of the image data, the user makes an instruction to write the important mail flag in the mail, then the image based on the delivery confirmation mail is printed whether or not the delivery confirmation mail notifies delivery failure (or delivery success), and whereby if, when the user requests transmission of the image data, the user does not makes an instruction to write the important mail flag in the mail (i.e., if the delivery confirmation mail does not include the important mail flag), then the image based on the delivery confirmation mail is printed only if the delivery confirmation mail notifies delivery failure (and the image is not printed if delivery success is notified by the delivery confirmation mail). That is, since Otsuka et al does not disclose, teach or suggest a user operable section/means which writes an important mail flag in a mail in accordance with an instruction made by a user when the user requests transmission of image data, Otsuka et al also clearly does not disclose, teach or suggest the control operation features of the claimed present invention which operate in accordance with whether or not the user has set the important mail flag.

With the structure of the claimed present invention, the user is able to designate (by instructing the writing of the important mail flag) for a specific outgoing mail that the delivery confirmation mail should be printed whether or not delivery of the mail is a success (or a failure), and the user is able to designate (by not instructing the writing of the important mail flag) for a specific outgoing mail that the delivery confirmation mail should be printed only if an error (failure) occurs.

It is respectfully submitted that Otsuka et al clearly does not disclose, teach or suggest these user operable features of the present invention as recited in amended independent claims 1, 8 and 12.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 1, 8 and 12, and claims 3, 11 and 14 respectively depending therefrom, clearly patentably distinguishes over Otsuka et al under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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